

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ABBOTT LABORATORIES, an Illinois corporation, FOURNIER INDUSTRIE ET SANTÉ, a French corporation, and LABORATOIRES FOURNIER S.A., a French corporation,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, Inc.,  
a Delaware corporation,

Defendant.

Civil Action No. 02-1512-\*\*\*  
(consolidated)

TEVA PHARMACEUTICALS USA, Inc.,  
a Delaware corporation, and TEVA  
PHARMACEUTICAL INDUSTRIES LTD.,  
an Israeli corporation, and NOVOPHARM,  
LTD.,

Counterclaim Plaintiffs,

v.

ABBOTT LABORATORIES, an Illinois corporation, FOURNIER INDUSTRIE ET SANTÉ, a French corporation, and LABORATOIRES FOURNIER, S.A., a French corporation,

Counterclaim Defendants.

ABBOTT LABORATORIES, an Illinois corporation, FOURNIER INDUSTRIE ET SANTÉ, a French corporation, and LABORATOIRES FOURNIER S.A., a French corporation,

Plaintiffs,

v.

IMPAX LABORATORIES, INC.,  
a Delaware corporation,

Defendant.

Civil Action No.: 03-120-\*\*\*  
(Consolidated)

IMPAX LABORATORIES, INC,  
a Delaware corporation,

Counterclaim Plaintiffs,

v.

ABBOTT LABORATORIES, an Illinois  
corporation, FOURNIER INDUSTRIE ET  
SANTÉ, a French corporation, and  
LABORATOIRES FOURNIER, S.A., a  
French corporation,

Counterclaim Defendants.

IN RE TRICOR DIRECT PURCHASER  
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

Civil Action No. 05-340-\*\*\*

(consolidated)

IN RE TRICOR INDIRECT PURCHASER  
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

Civil Action No. 05-360-\*\*\*

(consolidated)

**NOTICE OF SERVICE**

PLEASE TAKE NOTICE that copies of the Expert Report of Dr. Peter Howard Jones were served on April 18, 2007 upon the following counsel of record in the manner indicated below:

**VIA ELECTRONIC MAIL**

Josy W. Ingersoll  
John W. Shaw  
Karen Keller  
Young Conaway Stargatt & Taylor, LLP  
The Brandywine Building  
1000 West Street, 17th Floor  
P.O. Box 391  
Wilmington, Delaware 19899-0391

Jeffrey S. Goddess  
Rosenthal, Monhait, Gross & Goddess, P.A.  
919 Market Street, Suite 1401  
P.O. Box 1070  
Wilmington, DE 19899-1070  
Tel. (302) 656-4433  
Fax. (302) 658-7567

Jonathan L. Parshall  
Murphy Spadaro & Landon  
1011 Centre Road, Suite 210  
Wilmington, DE 19801

Michael I. Silverman  
Lynn A. Iannone  
Silverman & McDonald  
1010 North Bancroft Parkway  
Suite 22  
Wilmington, DE 19805

Mary B. Graham  
Morris Nichols, Arsht & Tunnell  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899

Mary B. Matterer  
Morris, James, Hitchens & Williams  
222 Delaware Avenue, 10th Floor  
Wilmington, DE 19801

Pamela S. Tikellis  
Robert J. Kriner, Jr.  
A. Zachary Naylor  
Chimicles & Tikellis LLP  
One Rodney Square  
P.O. Box 1035  
Wilmington, DE 19899

Elizabeth M. McGeever  
Prickett Jones Elliott, P.A.  
1310 King Street  
Wilmington, DE 19801

Patrick Francis Morris  
Morris & Morris  
1105 North Market Street  
Suite 803  
Wilmington, DE 19801

**VIA ELECTRONIC MAIL**

REPRESENTING DIRECT PARTY PLAINTIFFS  
(C.A. 05-340):

Jeffrey S. Goddess  
[jgoddess@rmgglaw.com](mailto:jgoddess@rmgglaw.com)  
Bruce E. Gerstein  
[bgerstein@garwingerstein.com](mailto:bgerstein@garwingerstein.com)

Barry S. Taus  
[btaus@garwingerstein.com](mailto:btaus@garwingerstein.com)

Adam M. Steinfeld  
[asteinfeld@garwingerstein.com](mailto:asteinfeld@garwingerstein.com)

Daniel Berger  
[danberger@bm.net](mailto:danberger@bm.net)

Eric L. Cramer  
**ecramer@bm.net**

Peter Kohn  
**pkohn@bm.net**

Linda P. Nussbaum  
**lnussbaum@cmht.com**

Steig D. Olson  
**solson@cmht.com**

REPRESENTING WALGREEN, ECKERD, KROGER,  
MAXI, CVS, RITE AID  
(C.A. 05-340):

Elizabeth M. McGeever  
**emmegeever@prickett.com**

Scott E. Perwin  
**sperwin@kennynachwalter.com**

Joseph T. Lukens  
**jlukens@hangley.com**

REPRESENTING PACIFICARE  
(C.A. 05-340):

Jonathan L. Parshall  
**jonp@msllaw.com**

William Christopher Carmody  
**bcarmody@susmangodfrey.com**

John Turner:  
**jturner@susmangodfrey.com**

Shawn Rabin:  
**srabin@susmangodfrey.com**

Justin Nelson:  
**jnelson@susmangodfrey.com**

Cindy Tijerina:  
**ctijerina@susmangodfrey.com**

Ken Zylstra:  
**kzylstra@sbclasslaw.com**

Lyle Stamps:  
**lstamps@sbclasslaw.com**

Steve Connolly  
**Sconnolly@abclasslaw.com**

Mark Sandman:  
**mms@rawlingsandassociates.com**

Jeffrey Swann:  
**js5@rawlingsandassociates.com**

REPRESENTING INDIRECT PARTY PLAINTIFFS  
(C.A. 05-360):

Pamela S. Tikellis  
Thomas M. Sobol  
Patrick E. Cafferty  
Jeffrey L. Kodroff  
Bernard J. Persky  
William C. Carmody  
Mike Gottsch  
Zach Naylor  
Robert Davis  
Brian Clobes  
Michael Tarringer  
Tim Fraser  
David Nalven  
Greg Matthews  
Christopher McDonald  
Kellie Safar  
Ted Lieverman  
Pat Howard

**Tricor@chimicles.com**

REPRESENTING IMPAX LABORATORIES  
(C.A. 03-120):

Mary Matterer  
**mmatterer@morrisjames.com**

John C. Vetter  
**jvetter@kenyon.com**

Asim Bhansali  
**abhansali@kvn.com**

REPRESENTING TEVA PHARMACEUTICALS  
(C.A. 02-1512):

Josy W. Ingersoll  
Bruce M. Gagala  
Karen E. Keller  
Christopher T. Holding  
Ken Cohen  
Elaine Blais

**tricor@yest.com**

REPRESENTING ABBOTT (ALL CASES):

Mary B. Graham  
**Tricor@mnat.com**  
William F. Cavanaugh  
**wfcavanaugh@pbwt.com**

Chad J. Peterman

cjpeterman@pbwt.com

*Of Counsel:*

Steven C. Sunshine  
Tara L. Reinhart  
Skadden, Arps, Slate, Meagher & Flom LLP  
1440 New York Avenue, NW  
Washington, DC 20005  
(202) 371-7000

Matthew P. Hendrickson  
Bradley J. Demuth  
Skadden, Arps, Slate, Meagher & Flom LLP  
4 Times Square  
New York, NY 10036  
(212) 735-3000

Timothy C. Bickham  
Steptoe & Johnson LLP  
1330 Connecticut Avenue, N.W.  
Washington, DC 20036-1795  
(202) 429-5517

William Baer, Esquire  
Anne P. Davis, Esquire  
James Cooper, Esquire  
Charles D. Ossola, Esquire  
Arnold & Porter LLP  
555 Twelfth Street, NW  
Washington, DC 20004-1206  
(202)-942-5000

Dated: April 20, 2007



Frederick L. Cottrell, III (#2555)  
Anne Shea Gaza (#4093)  
Richards, Layton & Finger, P.A.  
P.O. Box 551  
One Rodney Square  
Wilmington, DE 19899  
(302) 651-7700  
Cottrell@rlf.com  
Gaza@rlf.com  
*Attorneys for Fournier Industrie Et Santé and  
Laboratoires Fournier, S A*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 20, 2007, I caused to be served by hand delivery the foregoing document and electronically filed the same with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Josy W. Ingersoll  
John W. Shaw  
Karen Keller  
Young Conaway Stargatt & Taylor, LLP  
The Brandywine Building  
1000 West Street, 17th Floor  
P.O. Box 391  
Wilmington, Delaware 19899-0391

Jeffrey S. Goddess  
Rosenthal, Monhait, Gross & Goddess, P.A.  
919 Market Street, Suite 1401  
P.O. Box 1070  
Wilmington, DE 19899-1070  
Tel. (302) 656-4433  
Fax. (302) 658-7567

Jonathan L. Parshall  
Murphy Spadaro & Landon  
1011 Centre Road, Suite 210  
Wilmington, DE 19801

Michael I. Silverman  
Lynn A. Iannone  
Silverman & McDonald  
1010 North Bancroft Parkway  
Suite 22  
Wilmington, DE 19805

Mary B. Graham  
Morris Nichols, Arsht & Tunnell  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899

Mary B. Matterer  
Morris James, LLP  
500 Delaware Ave., Ste. 1500  
Wilmington, DE 19801-1494

Pamela S. Tikellis  
Robert J. Kriner, Jr.  
A. Zachary Naylor  
Chimicles & Tikellis LLP  
One Rodney Square  
P.O. Box 1035  
Wilmington, DE 19899

Elizabeth M. McGeever  
Prickett Jones Elliott, P.A.  
1310 King Street  
Wilmington, DE 19801

Patrick Francis Morris  
Morris & Morris LLC  
4001 Kennett Pike, Suite 300  
Wilmington, Delaware 19807

I hereby certify that on April 20, 2007, I sent by electronic mail the foregoing document to the following:

REPRESENTING DIRECT PARTY PLAINTIFFS  
(C.A. 05-340):

Jeffrey S. Goddess  
**jgoddess@rmgglaw.com**

Bruce E. Gerstein  
**bgerstein@garwingerstein.com**  
Barry S. Taus  
**btaus@garwingerstein.com**

Adam M. Steinfeld  
**asteinfeld@garwingerstein.com**

Daniel Berger  
**danberger@bm.net**

Eric L. Cramer  
**ecramer@bm.net**

Peter Kohn  
**pkohn@bm.net**

Linda P. Nussbaum  
**lnussbaum@cmht.com**

Steig D. Olson  
**solson@cmht.com**

REPRESENTING WALGREEN, ECKERD, KROGER,  
MAXI, CVS, RITE AID, ALBERTSON'S, SAFEWAY,  
HY-VEE AND AMERICAN SALES  
(C.A. 05-340):

Elizabeth M. McGeever  
**emmcegeever@prickett.com**

Scott E. Perwin  
**sperwin@kennynachwalter.com**

Joseph T. Lukens  
**jlukens@hangley.com**

REPRESENTING PACIFICARE  
(C.A. 05-340):

Jonathan L. Parshall  
**jonp@msllaw.com**

William Christopher Carmody  
**bcarmody@susmangodfrey.com**

John Turner:  
**jturner@susmangodfrey.com**



Shawn Rabin:  
**srabin@susmangodfrey.com**

Justin Nelson:  
**jnelson@susmangodfrey.com**

Cindy Tijerina:  
**ctijerina@susmangodfrey.com**

Ken Zylstra:  
**kzylstra@sbclasslaw.com**

Lyle Stamps:  
**lstamps@sbclasslaw.com**

Steve Connolly  
**Sconnolly@abclasslaw.com**

Mark Sandman:  
**mms@rawlingsandassociates.com**

Jeffrey Swann:  
**js5@rawlingsandassociates.com**

REPRESENTING INDIRECT PARTY PLAINTIFFS  
(C.A. 05-360):

Pamela S. Tikellis  
Thomas M. Sobol  
Patrick E. Cafferty  
Jeffrey L. Kodroff  
Bernard J. Persky  
William C. Carmody  
Mike Gottsch  
Zach Naylor  
Robert Davis  
Brian Clobes  
Michael Tarringer  
Tim Fraser  
David Nalven  
Greg Matthews  
Christopher McDonald  
Kellie Safar  
Ted Lieverman  
Pat Howard  
**Tricor@chimicles.com**

REPRESENTING IMPAX LABORATORIES  
(C.A. 03-120):

Mary Matterer  
**mmatterer@morrisjames.com**

John C. Vetter  
**jvetter@kenyon.com**

Asim Bhansali  
**abhansali@kvn.com**

REPRESENTING TEVA PHARMACEUTICALS  
(C.A. 02-1512):

Josy W. Ingersoll  
Bruce M. Gagala  
Karen E. Keller  
Christopher T. Holding  
Ken Cohen  
Elaine Blais

**trikor@yest.com**

REPRESENTING ABBOTT (ALL CASES):

Mary B. Graham  
**Tricor@mnat.com**

William F. Cavanaugh  
**wfcavanaugh@pbwt.com**

Chad J. Peterman  
**cjpeterman@pbwt.com**

  
\_\_\_\_\_  
Anne Shea Gaza (#4093)  
GAZA@rlf.com